

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

DAVID EAD

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:  
:  
:

CR No. 00-08L

**MEMORANDUM AND ORDER**

In this matter, Defendant, David Ead filed two *pro se* Motions for Court Appointed Legal Counsel. (Documents No. 13 and 14). Both Motions contains substantially the same information. Both Motions have been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); Local R. 32(b). In the Motions, Defendant requests that the Court appoint counsel for Defendant in order to pursue a reduction in his court-ordered restitution in this case. One of the Motions contains a statement regarding Defendant's recent financial difficulties, a letter, as well as bills and other documents. (Document No. 13). The second Motion merely contains a statement of financial difficulty by Defendant. (Document No. 14). Although Defendant has provided the Court with some information concerning his finances, he has not done so completely and in the proper form. In order for this Court to determine if Defendant qualifies for a court-appointed attorney, the Court needs a more complete picture of Defendant's finances submitted by him under penalty of perjury, such as through filing a completed Financial Affidavit, CJA Form 23. Accordingly, the Court requests that the Clerk send Defendant a blank Financial Affidavit, CJA Form 23. If Defendant wishes to continue to pursue his Motion for Court Appointed Legal Counsel, he shall fill out and provide a Financial

Affidavit or equivalent to the Court concerning his claimed inability to pay counsel, prior to any further consideration of his Motion.

So ordered.

ENTER:

BY ORDER:

A handwritten signature in black ink, appearing to read 'L. Almond', written over a horizontal line.

LINCOLN D. ALMOND  
United States Magistrate Judge  
September 19, 2005

A handwritten signature in black ink, appearing to read 'J. Mall', written over a horizontal line.

Deputy Clerk



IN UNITED STATES    ☐ MAGISTRATE    ☐ DISTRICT    ☐ APPEALS COURT or    ☐ OTHER PANEL (Specify below)

IN THE CASE OF \_\_\_\_\_ V.S. \_\_\_\_\_

FOR \_\_\_\_\_

AT \_\_\_\_\_

LOCATION NUMBER

\_\_\_\_\_

PERSON REPRESENTED (Show your full name) \_\_\_\_\_

CHARGE/OFFENSE (describe if applicable & check box →)    ☐ Felony    ☐ Misdemeanor

1 ☐ Defendant—Adult  
2 ☐ Defendant - Juvenile  
3 ☐ Appellant  
4 ☐ Probation Violator  
5 ☐ Parole Violator  
6 ☐ Habeas Petitioner  
7 ☐ 2255 Petitioner  
8 ☐ Material Witness  
9 ☐ Other \_\_\_\_\_

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals



|        |              |   |   |
|--------|--------------|---|---|
| ASSETS | EMPLOYMENT   | Are you now employed? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Am Self-Employed  |   |
|        |              | Name and address of employer: _____   |   |
|        |              | IF YES, how much do you earn per month? \$ _____  | IF NO, give month and year of last employment _____ |
|        |              | How much did you earn per month? \$ _____   |   |
|        |              | If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No  |   |
|        |              | IF YES, how much does your Spouse earn per month? \$ _____  |   |
|        |              | If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____  |   |
|        | OTHER INCOME | Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
|        |              | RECEIVED  | SOURCES   |
|        |              | IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES   | \$ _____  |
|        | CASH         | Have you any cash on hand or money in savings or checking accounts? <input type="checkbox"/> Yes <input type="checkbox"/> No    IF YES, state total amount \$ _____   |   |
|        | PROP-ERTY    | Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input type="checkbox"/> No   |   |
|        |              | VALUE   | DESCRIPTION   |
|        |              | IF YES, GIVE THE VALUE AND \$ DESCRIBE IT   | _____   |

|                     |   |   |                                  |   |                |
|---------------------|---|---|----------------------------------|---|----------------|
| OBLIGATIONS & DEBTS | DEPENDENTS  | MARITAL STATUS<br>____ SINGLE<br>____ MARRIED<br>____ WIDOWED<br>____ SEPARATED OR DIVORCED | Total No. of Dependents<br>_____ | List persons you actually support and your relationship to them<br>_____<br>_____<br>_____<br>_____ |                |
|                     | DEBTS & MONTHLY BILLS<br>(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.) | APARTMENT OR HOME:  | Creditors                        | Total Debt  | Monthly Paymt. |
|                     |   | _____   | \$ _____                         | \$ _____  |                |
|                     |   | _____   | \$ _____                         | \$ _____  |                |
|                     |   | _____   | \$ _____                         | \$ _____  |                |
|                     |   | _____   | \$ _____                         | \$ _____  |                |

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) \_\_\_\_\_

SIGNATURE OF DEFENDANT (OR PERSON REPRESENTED) \_\_\_\_\_